

**CHAITMAN LLP**

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**Hearing: May 31, 2017 at 10 a.m.**

*Attorneys for Defendant*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor

IRVING H. PICARD, Trustee for the  
Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities  
LLC and the Estate of Bernard L. Madoff,

Plaintiff,

v.

BRUNO L. DI GIULIAN,

Defendant.

Adv. Pro. No. 10-04728 (SMB)

**NOTICE OF CROSS-MOTION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the  
Declaration of Helen Davis Chaitman, Esq. and exhibit thereto, the Declaration of Patsy

DiGiulian, and on such other and further arguments as may be presented prior to and at the hearing on the motion, the Defendant by his undersigned counsel, will cross-move for an order dismissing the complaint pursuant to Fed. R. Civ. P. 37(b), 41(b) before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, New York, New York 10004, on May 31, 2017 at 10:00 a.m.

Dated: New York, New York  
May 23, 2017

**CHAITMAN LLP**

By: /s/ Helen Davis Chaitman  
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